

note that the more likely candidates are probably the interior and military construction appropriation measures.

Finally, I would like to remind all Members that we do expect to have votes next Friday, October 17, and may be working late that afternoon. Again, I thank the gentleman from Georgia for yielding and will be happy to answer any questions he may have.

Mr. LEWIS of Georgia. Reclaiming my time, Mr. Speaker, I thank the gentleman from Virginia for those comments, and I will continue to yield to the majority for a response, but I noticed the gentleman mentioned several conference reports coming up next week and that the military construction and interior appropriation bills are the most likely. Would those be the business for next Friday; since the gentleman indicated that he does expect to be in on Friday, possibly late Friday night?

Mr. CANTOR. Mr. Speaker, if the gentleman will continue to yield, I would say to him that we are working to complete those appropriation conference reports and it may be that the Iraq supplemental and the discussion and debate on that will go into Friday as well.

Mr. LEWIS of Georgia. Mr. Speaker, the gentleman indicated that he intends to begin debate on the Iraq supplemental bill on Thursday. Our side would like to know if it would be possible for us to begin that debate, since we are going to be here, on Wednesday, so that every Member, every Member of the Congress will have an opportunity to participate in this debate?

I take particular notice of the fact that when we debated the force resolution that every Member of the Congress, all of us, had an opportunity to participate in that debate.

Mr. CANTOR. Again, Mr. Speaker, if the gentleman will further yield, I would respond to him by saying that I think it is possible, although nothing has been decided yet. I know our staff on this side has begun to meet with your staff there, and we will do everything we can to cooperate to try and make sure that all have the opportunity to engage on this issue.

Mr. LEWIS of Georgia. Mr. Speaker, continuing to yield to my friend from Virginia with regard to the process for floor debate next week, we were told that an open rule is anticipated. However, as the gentleman knows, that does not guarantee that we will have the full debate this serious matter demands. The American people deserve to have a full, serious, open and candid discussion. Therefore, we expect that the rule would grant whatever waivers are necessary so that Members would be allowed to have a full debate and the ability to offer substantial amendments.

What assurance, what guarantee can the gentleman provide in this regard?

Mr. CANTOR. I would say to the gentleman, Mr. Speaker, that as I said earlier, the process has begun with discus-

sion among the staff on both sides of the aisle. I would say that, certainly, past precedent would certainly be a guide to what the shape of the debate will look like on the Iraq supplemental. I would be confident that the chairmen of both the Committee on Rules as well as the Committee on Appropriations would be consulted as to the nature of that debate.

I could also assure the gentleman that all the Members on this side are just as anxious as any to make sure that we fully fund the needs of our men and women in the Armed Forces, so we can continue with their mission in Iraq.

Mr. LEWIS of Georgia. Mr. Speaker, I must say to my colleague that I think the Members on this side, and all Members, want to be supportive of our men and women in uniform in Iraq. At the same time, I think all of us need to know very soon whether we are going to have an opportunity to engage in a full, candid, and open discussion when we speak of \$87 billion.

Mr. CANTOR. Again, I would say to the gentleman that the process is ongoing, and we will work together to try and make sure that all the necessary issues are addressed; and that, yes, we will look forward to discussion and passage of that measure next week.

Mr. DOGGETT. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Georgia. I yield to my colleague and friend, the gentleman from Texas.

Mr. DOGGETT. Mr. Speaker, I just wanted further clarification as to whether the plan remains that, as announced by the majority leader here about 10 days ago, that we would have essentially an open rule on the \$87 billion to assure that all Members could advance their ideas?

Mr. CANTOR. Mr. Speaker, if the gentleman from Georgia will continue to yield, I would say again to the gentleman that there are a variety of factors, as you know, that go into the rule which will govern the debate on the Iraq supplemental. As I said before to the gentleman from Georgia, there is historic precedent that will also serve as a guide. We will consult with the chairmen of the Committee on Appropriations as well as the Committee on Rules in ensuring that the issues are addressed in the rule.

Mr. DOGGETT. Mr. Speaker, if the gentleman will yield further, I appreciate that. I had planned to ask that question for clarification directly to the majority leader, but I understand he has really got great affection for my hometown of Austin and he has pretty much moved down there for the time being to try to reshape these districts.

Mr. LEWIS of Georgia. Mr. Speaker, reclaiming my time, on that note, let me thank the gentleman from Virginia.

#### MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

Mrs. CAPPS. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore (Mr. SIMPSON). The Clerk will report the motion.

The Clerk read as follows:

Mrs. CAPPS of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 6, be instructed as follows:

(1) The House conferees shall be instructed to include in the conference report the provision of the House bill (section 30215) that concerns consistency determinations under the Coastal Zone Management Act of 1972.

(2) The House conferees shall be instructed to confine themselves to matters committed to conference in accordance with clause 9 of rule XXII of the House of Representatives with regard to any offshore preleasing, leasing, or development moratorium.

Mrs. CAPPS (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Mrs. CAPPS) and the gentleman from Texas (Mr. BARTON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I yield myself 5 minutes.

This motion does two things: First, it instructs conferees to include in the conference report House provisions concerning consistency determinations under the Coastal Zone Management Act. Under the CZMA, States can review projects, like offshore oil and gas development, which impact their coastal zones.

While a State can reject a project not found to be in its best overall interest, that rejection can still be appealed to the Secretary of Commerce. Currently, there is no limit on the time the Secretary can use to develop the record to make a decision in an appeals case.

During consideration of the energy bill, a bipartisan compromise to impose a reasonable time frame on this appeals process was developed and included in the legislation that passed in the House. The House should respect this bipartisan, commonsense compromise, and so should the conference committee.

Second, the motion instructs conferees to confine themselves to matters in the House bill regarding any offshore preleasing, leasing, or development moratorium. Mr. Speaker, you may remember during consideration of the energy bill, that the House agreed to a bipartisan amendment I offered with the gentleman from Florida (Mr. DAVIS) and the gentleman from Florida (Mr. MILLER). That amendment struck from H.R. 6 a provision to require a so-called "inventory" of oil and gas resources in the Outer Continental Shelf.

This inventory would be taken in areas of the OCS currently off limits to

any new drilling, which includes, and this is very important, any predrilling activities. These areas include the coastal areas of California, Florida, Oregon, Washington, Alaska's Bristol Bay, and the entire East Coast. The inventory language that was struck out of the House bill, unanimously, would have required seismic surveys and other invasive technologies in the OCS areas now off limits to new drilling.

Mr. Speaker, these are predrilling activities not permissible under current law. The House unanimously struck this inventory because it is a bad idea for the following reasons:

First, it is completely unnecessary. Proponents of the inventory are going to come to the floor, and they are going to tell us how important it is to know what resources are out there in the OCS. They are going to say we just want to know what is out there. The only problem with that argument is that we already know what is out there. The Minerals Management Service already conducts a survey every 5 years, and the latest assessment was done in the year 2000.

□ 1600

This assessment includes estimates of undiscovered oil and natural gas that is conventionally and economically recoverable. So if we know what is out there, why the inventory provision?

That brings us to the second reason this inventory is a bad idea. It is really just the first step in drilling in these areas now off limits. The inventory is an attempt to overturn the Presidential and congressional moratoria on new drilling in these sensitive coastal areas, and that is really what this is all about.

It is a push on behalf of the oil companies to start drilling in coastal areas of the United States where there is not a whole lot of oil and where tens of millions of our citizens have made it clear that they do not want any more drilling.

Mr. Speaker, a little history might be in order. In 1990, President George H.W. Bush announced an executive moratorium ending new drilling off California, Oregon, Washington, Alaska's Bristol Bay, Florida, and the entire east coast. President Clinton extend this action to 2012. Both actions were met with widespread acclaim by a public that knows how valuable, environmentally and economically, our coastlines are. And Congress has supported these actions for the last 20 years by restricting MMS from spending funds to support any new drilling or predrilling activities in these areas.

In addition, President George W. Bush endorsed both moratoria in his fiscal year 2004 budget. State officials, including Governors Jeb Bush and Christie Whitman, have endorsed the moratoria. The House has voted twice in recent years to stop new drilling in the waters off Florida and California.

So despite that, there is no need of an inventory since we know what is out

there. Despite that the House unanimously rejected the call for this unnecessary inventory, despite that the inventory violates long-standing moratoria enacted by Republican and Democratic Presidents, Republican and Democratic Congresses, and endorsed by the current Republican President, what are the energy conferees doing, they are putting the so-called inventory provision back into the bill.

That is why we are offering this motion to instruct, to send a message to the conferees that this inventory is an unnecessary and inappropriate addition to the energy bill, and it should be dropped. Coastal communities have spoken repeatedly in strong, bipartisan voices to protect their States' sensitive coastal resources and productive coastal economies. These areas are too economically valuable to risk with more oil drilling. It takes only one accident or spill to devastate the local marine environment and economy.

Last year, 67 Republicans and 184 Democrats voted to end new drilling off California. In that vote, the House demonstrated its commitment to protecting our vital coastal communities. A vote for this motion is the same thing, a vote to protect coastal areas from new drilling. We need to reject these attempts to weaken existing protections for our coastal waters. I urge support for this motion.

Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, the motion to instruct filed by the gentlewoman from California (Mrs. CAPP) essentially seeks to prevent the outer continental shelf inventory from being in the energy conference report, and it seeks to keep an open-ended time line for the Coastal Zone Management Act to the Secretary of Commerce on consistency determinations.

Under the Coastal Zone Management Act, Congress declared it to be in the national policy to encourage the participation and cooperation of coastal States and Federal agencies, among others, in carrying out the purposes of the act, which are to preserve, protect and develop, and I would emphasize "and develop," the resources of the Nation's coastal zones.

Long ago, coastal States wishing to participate in coastal zone management of Federal activities affecting their coastal zones had to submit State coastal management plans detailing their enforceable policies to the Secretary of Commerce.

Thereafter, any Federal agency that processes an applicant's request for a Federal license or permit cannot grant the license or permit unless the State has concurred, either affirmatively or by failure to respond within 6 months of its receipt of the notice sent by the

applicant, with the applicant's certification that the proposed activity is consistent with the State's management plan.

Regulations by Federal agencies require that an applicant notify an affected coastal zone State of potential coastal impacts early in the application process. CZMA provides for an appeals process to the Secretary of Commerce by the applicant or on the Secretary's own initiative with comments from the Federal agency contemplating the application for a Federal license or permit if the coastal State does not concur that the proposed activity is consistent with the State's coastal management plan. This is current law.

CZMA does not authorize the Secretary of Commerce plenary authority to revisit every aspect of the lead Federal agencies' work in determining whether to grant a permit or license. Rather, CZMA addresses the determination that a proposed activity is consistent with the State's coastal management plan as approved and submitted by that State to the Secretary of Commerce.

All of that is to say that the CZMA contemplates the embedding of this process, the State process, in the lead Federal agency proceeding. The act does not suggest that sequential considerations would occur by each and every agency with the statutory obligation to weigh in on any given proposed project. In fact, the CZMA directs "the coordination of simplification of procedures in order to ensure expedited governmental decision-making for the management of the coastal resources." That is 14 U.S.C. Sec. 1452(2)(H).

Under current law, 16 U.S.C. 1465, on an appeal to the Secretary of Commerce concerning a consistency determination, the time line for action by the Secretary does not begin until the Secretary publishes a notice that the decision record has been closed. There is no set time for which the Secretary must close the record. Again, this is current law.

Section 325 of the conference draft merely sets forth specific time frames for which the Secretary of Commerce must act, and I emphasize must, on an appeal of a consistency determination within the context of CZMA by requiring, one, the Secretary has to publish an initial notice within 30 days of the filing of the appeal; number two, the closure of the record within 120 days from the date of publication of the initial notice which requires the publication of a notice stating the record is closed; and, three, the rendering of a decision by the Secretary within 120 days after the filing of the notice that the record has been closed.

This provision, again section 325 of the conference report, does not affect other statutes or the obligation of other agencies to carry out their statutory duties. It merely clarifies that full, substantive consideration of all

issues be undertaken in an efficient manner. It appropriately ensures that the Secretary of Commerce will consider any appeal of a consistency determination in a timely manner so that all concerned will have a certainty of a decision, and I would emphasize certainty of a decision.

Such a requirement is in keeping with the explicit goal of this Congress to fashion an integrated process of permit approval which weighs fully and comprehensively the competing concerns of all participants in a timely manner. This provision is not outcome determinative, but merely sets forth a time line for processing of one appeal in a regulatory process which involves various Federal agencies, each dealing with its own area of expertise.

As to the OCS inventory, the provision appearing in the conference draft, the provision merely states that "the Secretary of the Interior shall conduct an inventory." It does not say that the moratoria should be lifted or there should be drilling. It does nothing except to say there should be an inventory. This provision does not add anything new to existing law. The Secretary of the Interior has discretionary authority to do the inventory anyway.

I would assume and I would stipulate as a member of the subcommittee and the full committee, and also as a member of the conference that is now dealing with the other body, that we owe it to the Nation to know what our resources are so we can make informed decisions.

Mr. Speaker, I know that the motion to instruct from the gentlewoman from California (Mrs. CAPPS) is well meaning, but I really see no need for it, and I would hope that we would vote against it at the appropriate time, which I understand is next week.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I yield 4 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I rise in support of the motion offered by the gentlewoman from California (Mrs. CAPPS).

In my capacity as the ranking member of the Committee on Resources, I wholeheartedly join the gentlewoman in illustrating just one of the many outrageous and galling preemptions of due process which is part and parcel of how the energy bill conference is being managed.

The issue that the Capps motion raises is not something of a partisan nature. If a Member represents a coastal State, they should be concerned, whether Republican or Democrat, over what is taking place in this energy bill in conference. And Members should be especially concerned if their constituents support the Federal offshore oil and gas leasing moratoria that have long been applied to both the east and west coasts.

For what we are dealing with here is the proverbial camel's nose under the

tent. When this body considered the energy bill last April, an amendment was offered by the gentlewoman from California (Mrs. CAPPS), the gentleman from Florida (Mr. MILLER), and the gentleman from Florida (Mr. DAVIS) to strike a provision which would have required that an inventory be conducted of all oil and gas resources in the outer continental shelf, regardless of whether those resources fall within an area closed to oil and gas leasing by Presidential or congressional moratoria. That amendment passed by voice vote, and it passed by voice vote for a simple reason: if taken to a rollcall vote, it would have been approved overwhelmingly.

Yet today we find that this very same language has been slipped into the draft energy bill conference report. The question then occurs, who is responsible for this language reappearing. I asked the majority side: Who is responsible for this language reappearing? When the Capps-Davis-Miller amendment was offered to the House version of the energy bill last April, the gentleman from Florida (Mr. DAVIS) asked our colleague, the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce, point-blank whether it was his intention to support the reinsertion of this provision being removed at that time in the conference committee. In response, the gentleman from Louisiana (Mr. TAUZIN) said, and I quote, "It is not my intention to recommend the reinsertion of this language, no."

Page H3312 of the April 11, 2003, CONGRESSIONAL RECORD, it is right there. Indeed, the gentleman from Florida (Mr. DAVIS) posed the same question to the chairman of the Committee on Resources, the gentleman from California (Mr. POMBO). In response, the gentleman from California (Mr. POMBO) said, "No, we have no intention whatsoever of doing that." That is from page H3310 of the April 11, 2003, CONGRESSIONAL RECORD. It is right there.

So here we have the assurances of two powerful chairmen of two House committees with jurisdiction over the energy bill that this language would not reappear. But it has. Imagine that. It has reappeared.

So today we appeal to these two powerful chairmen to support the pending motion and to join us in doing battle with what must surely be the culprit, that other body.

To my colleagues, the language in question places at risk the offshore oil and gas leasing moratoria areas. Members cast a "yea" or "nay" vote on this motion on that basis. Members cast a vote on the same basis they did last year when during consideration of the appropriations subcommittee bill, the gentlewoman from California (Mrs. CAPPS) and myself offered an amendment to block development of some 36 oil and gas leases off the coast of southern California. That amendment prevailed with the support of 67 Repub-

licans joining 184 Democrats. We said then that California wanted the same protections that the President gave his brother, Governor Jeb Bush of Florida, when acceding to his concerns over a proposed lease sale in the Gulf of Mexico off that State's coast, lease sale 181, as I recall it.

So I say to my colleagues, today on this pending motion we are asking those on the other side of the aisle to owe up to their vote on the Capps-Rahall amendment to the interior appropriation bill last year; and to my Democratic colleagues, we are asking them to do what we have traditionally asked them to do, and that is respect the views of the American people. I urge support of the motion.

Mr. BARTON of Texas. Mr. Speaker, it is a great privilege to yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, after hearing my good friend and seeing my colleagues on this side, it is a little awkward; but I know in the district I represent and the State I represent, I rise in opposition to the Capps motion to instruct energy conferees.

The motion supports an amendment to the energy bill banning a study of our offshore energy resources. I call that our stick-your-head-in-the-sand energy policy.

Our Nation needs to be aware of the energy options. The energy bill has research funding and incentives for the development of fuel cells, solar power, and other renewable resources. So why can we not know much natural gas is offshore of our country? When natural gas prices are above \$5 per thousand cubic, we need to know what can be done about it. That is more than twice what our economy is used to.

Clean-burning natural gas is used to heat homes, generate power, and is feedstock for chemical and plastic manufacturing, and as fertilizer. There is not enough LIHEAP money out there to help all Northern consumers this winter. Power bills are going up and farmers cannot afford fertilizer.

Members all talk about the loss of our manufacturing jobs. The manufacturing jobs that are in danger on the Gulf Coast are petrochemical manufacturing jobs that are in danger of moving offshore in search of cheaper natural gas, which means more manufacturing jobs in this country, period. To set the right policy for our offshore areas, we need to know what is there. That is all this study asks for. We are not talking about commercial exploration offshore; we are just talking about government research.

□ 1615

Commercial exploration may come later, but at least we ought to know what is available. If we want less natural gas production and infrastructure, higher gas prices and more lost manufacturing jobs in this country, then let us continue to support this motion. If we agree that we are in a natural gas

price crisis where we do not have enough of this clean burning fuel at affordable prices, I urge opposition to the motion to instruct.

Mrs. CAPPS. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. ETHERIDGE), who cares a great deal about the North Carolina coastline.

(Mr. ETHERIDGE asked and was given permission to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Speaker, I join the gentlewoman in strong support of this motion.

This House needs to send a clear signal to the conference committee and the administration that we expect them to keep their promises regarding upholding the moratorium on drilling in the Outer Continental Shelf.

The moratorium on drilling in the OCS along the east and west coasts has a long history of bipartisan support as well as the Gulf and Florida. For more than 20 years, Congress has included language in the Interior appropriations bill that prevents the Department of Interior funding from being used for leasing, preleasing, and related activities in these OCS areas.

In 1990, the first President Bush signed an executive moratorium placing a 10-year moratorium on new leasing on the OCS. In 1998, that moratorium was extended and renewed by President Bill Clinton and extended until 2012. Even our current President included traditional legislation moratorium language in his budget request to enable continued protection of these OCS areas.

When the House considered H.R. 6 earlier this year, it included a provision that violated our bipartisan tradition of protecting the Outer Continental Shelf. This provision would have effectively overturned the moratorium by opening sensitive coastal and marine areas off the shores of my home State of North Carolina and the entire east and west coasts to exploratory drilling under the guise of conducting an "inventory."

This so-called inventory is merely the tip of an iceberg. And as icebergs conceal their true size under the water, so does this inventory conceal this author's true intent to force open the doors for future massive exploration and drilling in the OCS protected area.

Mr. Speaker, my State's pristine beaches are vitally important to our tourism, fishing, and transportation industries, as are the beaches of all of our States. North Carolina coastlines have often been used for the film industry. It is a beautiful environmental area, and it should not be violated.

The people of North Carolina do not want to wake up and see oil splashing on our beaches.

The people of North Carolina do not want to wake up to see oil on the beaches of Cape Hatteras or dying wildlife poisoned by split deadly crude on the shores and sounds. We want our coastline protected from such threats.

The House in its wisdom passed an amendment to remove the offensive inventory provision from H.R. 6, and the Senate energy bill does not contain a similar provision. But we should leave nothing to chance.

Let us make sure the will of the House of Representatives is honored in conference. Let's not let this iceberg cause a wreck that will lead to oil lapping up on the shores of the east and west coasts.

I urge all of my colleagues to vote in favor of her motion to instruct.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS), the vice chairman of the Committee on Resources.

Mr. GIBBONS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong opposition to the Capps motion to instruct, and I rise in opposition on two bases. First of all, the Capps motion would prevent the Outer Continental Shelf inventory; and, secondly, it would prohibit section 325 from merely stating that the Secretary of Commerce has a specific time in which to act on an appeal of a consistency determination within the context of the CZMA, Coastal Zone Management Act.

Mr. Speaker, let me say that the energy bill conference draft does say that the Secretary shall conduct an inventory, and that is all. It does not say that the moratoria on drilling should be lifted. It does not say that there should be drilling. This conference draft does not add anything new to the existing laws. The Secretary of Interior has the discretionary authority to do the inventory anyway. Mr. Speaker, we owe it to this Nation, we owe it to the energy needs of the American people, to know what our resources are so that we can make informed decisions.

Let me talk a little bit about section 325. Section 325 of the proposed energy bill conference draft merely sets forth specific time frames for which the Secretary of Commerce must act on an appeal of a consistency determination within the context of the CZMA. It appropriately ensures that the Secretary of Commerce will consider any appeal of a consistency determination in a timely manner so that all concerned will have the certainty of a decision, and this provision is not outcome determinative but merely sets forth a time for the processing of one appeal in a regulatory process that involves various Federal agencies, each dealing with its own area of expertise.

Mr. Speaker, let me be literally free and take license with this comment, that inconsistency, lack of knowledge, and delay are the hobgoblins of the energy industry in America. We owe it to the Nation to put knowledge, consistency, and certainty into America's energy needs. I would urge all of my colleagues to vote no on the Capps motion to instruct.

Mrs. CAPPS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER) who him-

self worked out the bipartisan agreement with the chairman of the Committee on Resources on the CZMA.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentlewoman for yielding me this time and thank her for bringing this motion to instruct.

I simply do not get it. I do not get how the wildly unpopular idea of weakening coastal protection can be an issue in this energy conference. The House bill did not have this proposal to do an inventory off of our coasts. The House bill did not have language to lessen a State's right to protect its coastline from inappropriate development. Why then are we confronted with this situation? Because time and again Congress has voted to give States the rights to protect their coastline.

This is like the end of a bad movie. We have seen it before. In spite of our efforts, in spite of the States' efforts to protect their coastline, in spite of this Congress's efforts to reassure them the right to do that, we are now back to where we were with James Watt when he proposed opening the entire United States coastline to drilling. It was so unpopular, as my colleagues have pointed out, we have a moratorium on the coast that goes to 2012 put on by both a Republican President and a Democratic President.

And yet this administration wants to pursue it. It simply does not want to pursue it in the light of day. It wants to pursue it in a closed conference committee. It wants to pursue it where its critics cannot get to it.

So that is why we are here today with this motion to instruct, because we do not want this provision to pass. Those of us who care about the coastlines of our States, who care about the economies of our States, who care about the tourism in our States, who care about the natural beauty of our States do not want this legislation to pass.

This inventory, one can say this is just an inventory, but when we look at the connection between this administration and the oil industry and the Vice President and the oil industry and the President and the oil industry, and it goes on and on and on, this is not just an inventory. This is about opening the coast, and we do not want that to happen.

We know that California has opposed this time and time again. We know that the Floridians have opposed offshore development. The great State of New Jersey time and again has opposed this. Members of Congress from the Great Lakes States when they were under threat opposed this. Oregonians, Washingtonians have all opposed this effort. Why? Because they understand the real value of the coastline to our States, our constituents, and to our citizens.

But yet the Republicans continue to pursue this at the behest of the energy companies. We cannot allow this to happen. We cannot allow the oil and

gas industry to cut private deals inside this conference committee in spite of the directions of this House, in spite of the agreements that we made in the committee not to do this, to cut it because the oil industry is insisting that they do it.

This is an inventory that Governor Jeb Bush does not want. This is an inventory that the New Jersey delegation does not want, that the Florida delegation does not want. Certainly the California delegation on a bipartisan basis has made it clear they do not want it; and, in fact, the entire House of Representatives has rejected this.

And, as of today, our new governor-elect of the State of California has opposed this provision. He has come out against offshore oil drilling. He has come out for the protection of the California coast.

So on a bipartisan basis, on a bicoastal basis we are asking the Members to support the Capps' motion because the Capps motion is the means by which we can protect the great coastlines of this Nation.

Again, I want to thank the gentlewoman for offering this motion.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BUYER), a member of the Committee on Energy and Commerce.

Mr. BUYER. Mr. Speaker, with regard to this shortage on natural gas, it is rather stunning when people say there is a shortage in America with regard to natural gas. The stunning part is that, with regard to resources, it is there. The shocking part is that Congress, Congress, is the one who has created the barriers to access the natural gas. So what have we done?

I was a good listener over here. When the Democrats controlled the Congress, what did they do? They said, You know what we are going to do? We are going to make sure that we cannot gain access to the natural gas. All the offshore, they cannot gain access to that. We are also going to lock off lands in the West, and at the same time we are going to pass a Clean Air Act. We are going to set forth new requirements. We are going to move from coal and move to natural gas.

Then what we have in this country is an increased demand on natural gas while you decrease the access to it and get an increase and end up hurting manufacturers and sending jobs out. And that is what you want to do? You are scared to death to even find out what an inventory is with regard to our resources? We owe it to the country to know exactly what we have.

So I can see why Democrats here are holding on tight to the policies of old. That is exactly what Democrats will do if they gain control of Congress. They were not very good listeners to what happened in California. Those policies the Democrats screwed up in California, and they just threw out that governor. One needs to be a very good listener here as to what is happening to the energy policy for the country.

I am one that is not very satisfied with the conference. The gentlewoman from California (Mrs. CAPPS) is not happy with the conference because she wants to spin it into something else. I am not happy with the conference because I do not think they went far enough. I do not think they went far enough at all. We need to find out exactly what the resources are with regard to our country.

Everybody comes down here to the House floor, loves to give a great speech about reducing the dependency on foreign oil, but you do not want to do anything about it. You do not want to do anything about it.

"I got 100 percent voting record. I am green." Yes, you are green. Green is also being foolish. You are foolish if you do not want to even take a look and peek at what you have got with regard to the resources.

So I think the bottom line is vote against the gentlewoman from California's (Mrs. CAPPS) motion to instruct. I will reluctantly support what they have done at conference even though, with regard to our natural gas, I think the Energy and Air Quality Subcommittee is going to come back in the spring and we are going to have to address the natural gas shortage and take this on behalf of the American people. Otherwise, shame on us.

Mrs. CAPPS. Mr. Speaker, I yield 3 minutes to the gentleman from the great State of New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to speak in support of the Capps motion.

Let me say from New Jersey we are a little sick and tired of the Federal Government trying to tell us what to do with our offshore resources. I remember I was first elected to the House of Representatives back in 1988, 15 years ago, and at the time we had all kinds of pollution. We had the sewage. We had medical waste. We had all kinds of garbage that was traveling up and down our coast. The fact of the matter is that we were not able to protect ourselves; and we had, I think, something like a \$3 or \$4 billion loss in our tourism industry that summer. All the beaches were closed. The number one industry in the State of New Jersey is tourism. All the beaches were closed, and tourism was dead.

So when I say that I want to protect my coastline and I do not want to the Federal Government coming in undermining our ability to say what Federal actions we do not support, we are speaking practically about what is important to our economy. We have seen the consequences of offshore drilling for oil and natural gas and what it has meant in other parts of the country and how it has destroyed the beaches and destroyed the water.

The Federal Government has already done a lot of analysis of this and has found there is very little oil and natural gas off the coast. The risk that comes from having to try to drill that

or exploit that or inventory that and what it leads to in the long run is great compared to the benefit and the destruction of our coast. If we had to balance the amount of oil and natural gas we are going to get compared to the negative impact on our coast and our tourism, there is no comparison between the two.

What the conferees are trying to do is basically undermine the rights of the States to protect themselves. That is what the consistency determination is all about. And the changes made in the conference reduce the time limit on the appeals process for consistency determinations to 120 days from the agreed-upon 360 days, thereby restricting States' ability to reject offshore drilling projects.

Whatever happened to States' rights? Republicans used to talk about States' rights. I guess it does not apply when big oil is there and the administration wants to let big oil do whatever they want to the States. Forget about States' rights. We do not talk about that anymore.

□ 1630

Furthermore, the conference has deleted bipartisan language that gave the Secretary the ability to extend the time frame for appeal should additional environmental analysis need to be completed in accordance with NEPA, the National Environmental Policy Act. What is wrong with extending the time, if it needs to be extended for environmental reasons?

Now, the biggest payback to big oil is this section 334 of the conference bill that requires the Secretary to conduct an inventory of oil and natural gas resources in the currently off-limit Outer Continental Shelf. Not only does this language sidestep the 13-year moratorium on granting new leases, but it completely ignores a bipartisan amendment in the House that removed the inventory language.

Now, I know you are going to tell me, well, we cannot override that, but that inventory language was put in on an annual basis. If one year it is not put in, then Mineral Management can go out and do whatever they please. If we do not put that language in every year for a moratorium, then Mineral Management can go ahead and do whatever they want. So it is not good to proceed and allow this inventory to take place.

Also, Mineral Management Service already compiles estimates of OCS oil and gas resources every 5 years, most recently in 2000.

This is nothing but an attempt to initiate the first phase of opening up our coastlines to oil and gas exploration. And do not tell me in New Jersey what you want to do with our coastlines. This is not what the Federal Government should do. This is the States' right, to determine what happens off their coast, and we know what the problem is in New Jersey, and we know what it is up and down the East Coast.

Mr. Speaker, I include for the RECORD a letter to the conferees from the New Jersey delegation, both Senators and most of our Members of the House of Representatives. I include this because I want to point out this is a bipartisan effort. Members of the New Jersey delegation, on a bipartisan basis, do not want these changes, do not want our State to be crippled and our ability to limit Federal actions which we do not want to happen.

I would ask again for support for this motion to go to conference. I thank the gentlewoman from California for introducing it.

CONGRESS OF THE UNITED STATES,

Washington, DC, September 30, 2003.

DEAR CONFEREES: We are concerned that a draft version of the omnibus energy bill may contain provisions that would be harmful to ocean and coastal environments. We want to underscore our opposition to the provisions listed below and strongly urge you to not to include any of them in the final bill.

Authorizing the inventory of sensitive coastal and marine areas around the United States for their oil and gas resources. Draft provisions would allow seismic explorations of Outer Continental Shelf (OCS) areas of the Mid-Atlantic, Gulf, West and Alaskan coasts that are currently protected from exploration and development by Congressional moratoria. This language was actually rejected by the House during debate on the energy bill, and was not included in the final Senate version. This language must be kept out of the final bill to ensure sensitive coastal areas can be protected from oil and gas development.

Granting sweeping new authority for interior to permit energy projects in the OCS without adequate oversight or standards. Draft language has been added that would grant substantial new authority to the Department of Interior to permit new energy projects including subsea pipelines and offshore Liquid Natural Gas facilities. The language fails to address the necessary environmental reviews required by existing statutes.

Weakening the Coastal Zone Management Act's (CZMA) consistency provision to remove states' rights and weaken environmental protections. Such a provision would impose severely restrictive deadlines on the decision-making process for states, agencies and the public to indicate their views on a consistency appeal. Congress has previously rejected this proposal in the reauthorization of the Coastal Zone Management Act, and we urge the energy conferees to reject such a provision in the final bill.

Exempting oil and gas industry construction activities from the Clean Water Act. These activities are known to cause tremendous water pollution problems, introducing toxics chemicals such as benzene, toluene, and heavy metals into our drinking water. It makes no sense to exempt these industries from the rules all other industries must follow.

Again, we underscore our opposition to these provisions in the final energy bill that would imperil our oceans and the nation's priceless coastal resources, and we urge you not to include them.

Thank you for your consideration of our views.

Sincerely,

Representative Frank Pallone, Jr.; Representative Rush Holt; Representative Donald M. Payne; Representative Robert E. Andrews; Senator Jon Corzine; Representative Bill Pascrell, Jr.; Representative Steven R. Rothman; Senator Frank Lautenberg; Representative

James Saxton; Representative Frank LoBiondo; Representative Christopher Smith; Representative Robert Menendez.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS), the vice chairman of the Subcommittee on Energy and Air Quality, which I chair, of the Committee on Energy and Commerce.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I am happy to get involved in this debate, although I have great respect for my colleague from California, and I understand and appreciate her position. But I would also hope that people would understand those of us who are involved in using natural gas products. Especially those States who use natural gas, you would think would not be adverse to locating it, identifying it, and exploiting it.

I was placed on the Speaker's Natural Gas Task Force in which we had numerous hearings across the country over the summer. Natural gas is an integral part of our manufacturing. In rural Illinois, natural gas plays a critical role in fertilizers, and we see a doubling of the cost of natural gas. That will be a trickle down effect on doubling the cost of everything. We just had reports out 2 days ago that the home heating costs will probably double across the country because of the doubling of the cost of natural gas.

Being from southern Illinois, we are the 11th leading oil producing State. I think people find that hard to believe, but we are. And we have been developing and producing oil in the State of Illinois for many, many years. And you know what? We use oil in Illinois. We use gasoline. We use natural gas. So we are not adverse to looking for, exploring and developing resources.

We have a gusher that was drilled in southern Illinois last year. Most Illinois oil wells are marginal oil wells, only producing about a barrel or a handful of barrels a day. This one has produced over 1,000 barrels with new technology. It drills horizontally, and it drills underneath a wildlife refuge, and it has brought \$1 million in additional revenue to the State of Illinois, at a time when revenues to States are sorely needed.

We know in Illinois that you can identify our natural resources. We know that you can identify them, you can catalogue them, you can research them, and you can drill for them and you can exploit them, and you can do it in environmentally sound ways.

I think the problem that many of us have in this energy debate is that we have folks in our country that want to be consumers of energy; they want to consume natural gas, they want to consume oil, they want to consume gasoline, they just do not want to produce it. They do not want to find the natural resources, they do not want to

harvest them and put them in the mainstream. They want to be takers and not be givers. That is really a problem, and that is why we have the crisis we have in natural gas.

Natural gas is a critical element in our society. It is actually making great strides in electricity generation. It is clean. Our peak power plants are running more than we ever thought they would. But to continue to say that we are going to put our areas off-limits, and we are not going to even identify where our reserves are of natural gas, is foolhardy. It is crazy. The average American citizen just will not understand when we are doubling the price of natural gas in this country, that we are not willing to even catalogue where our reserves are.

This should not be a difficult issue. This motion to instruct is definitely not needed, and I ask my colleagues to vote against it.

Mrs. CAPPS. Mr. Speaker, I yield myself 40 seconds to respond to some comments that have been made on the other side.

You have been saying that you just want to allow an inventory of oil and gas off our coasts; it will not hurt. But taking an inventory of what lies beneath the sea floor is not like taking an inventory of office supplies.

Looking for oil and gas off our coasts is an invasive process. The process itself carries risk. It harms marine life and can create serious environmental economic damage.

The language we struck from the House bill allowed exploration or drilling in part of the OCS. We already know, for instance, that 80 percent of the Nation's undiscovered economically-recoverable OCS gas is located in the central and western part of the Gulf of Mexico. This is MMS's most recent study to indicate this.

Mr. Speaker, I yield 2½ minutes to the gentleman from Oregon (Mr. BLUMENAUER) who represents the beautiful coastline of Oregon.

Mr. BLUMENAUER. By extension.

Mr. Speaker, the fact is that these energy reserves are not going away, whether or not we involve ourselves with this inventory now, and as the gentlewoman from California points out, acting now does, in fact, carry some potential risks.

But the bottom line is that some people, rather than dealing with a meaningful energy bill that would deal with global warming, vehicle efficiency, serious energy conservation and alternative energy development, they want to continue driving, looking through the rearview mirror.

The conference committee report would limit States' ability to participate in coastal planning decisions, undermining a bipartisan agreement on the Coastal Zone Management Act. The energy bill in conference now contains this provision that we have been talking about that undermines the long-standing, bipartisan agreement against the new oil and gas drilling in the

Outer Shelf, and we have referenced the fact that this refers to the States, including my own, that are adamantly opposed to it.

The House, as has been pointed out, passed an amendment to the energy bill specifically to remove the provision requiring this unnecessary inventory. The only reason to put it in now is that people want to move ahead with drilling.

Not only are we avoiding real solutions, we are now taking actions that can threaten the health of our oceans when they are dramatically imperiled right now.

We have just had the Pew Oceans Report documenting the problems that we are phasing in terms of the degradation of the environment of our oceans. Already 27 percent of the world's reefs have been destroyed over the course of the last 50 years. Another 30 percent are at risk of dying over the course of the next 50 years. These are the rain forests of the ocean, having dramatic diversity that is important to us.

People care about coastal areas, in part because they are moving there in droves. By 2025, approximately 75 percent of our population will be in close proximity to these coastal areas, and they care about those coastlines, because coastal marshes trap flood waters, filter out pollutants, serve as nurseries for wildlife, and they are disappearing at a dramatic rate of 20,000 acres per year. Louisiana alone has lost half a million acres of wetlands since the 1950s.

The only reason to reverse course at this point is people want more oil drilling. I would strongly suggest that we instead should be a leader in protecting our oceans. This sends the wrong message, goes against the will of the public and this House.

If you are against coastal drilling and for protecting coastlines and oceans, vote for the motion to instruct.

#### PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman will state it.

Mr. BARTON of Texas. Mr. Speaker, we have no further speakers on our side, other than myself, to make whatever closing comments. Am I allowed to recognize myself more than once until I close?

The SPEAKER pro tempore. The gentleman is allowed to do that until he exhausts or yields back his time.

Mr. BARTON of Texas. I yield myself 1 minute.

Mr. Speaker, I would just like to point out that I understand the concerns expressed by my colleagues who are supporting the Capps motion to instruct, but I would point out that the environmental community in general opposes any oil drilling where it has not been drilled before. They oppose any natural gas drilling where it has not been drilled before. They oppose construction of nuclear power plants, generally. They oppose the construc-

tion of coal-fired power plants, generally. I am now told in one instance where there is an attempt to build a wind farm off the coast of Massachusetts, where there happens to be excellent conditions for wind power, they oppose that.

What do they support to give our Nation the energy resources we need to maintain a viable economy? It is okay to oppose things if you have a substitute for it. I have yet to hear the substitute for it. And the inventory simply gives us the opportunity to at least catalogue where those potential energy resources might be.

Mrs. CAPPS. Mr. Speaker, moving up the Pacific Coast, I am happy to yield 3 minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, speaking in favor of the Capps motion, I would like to respond to the inquiry of my good friend the gentleman from Texas (Chairman BARTON) as to where other alternatives are.

I would point out that if our Nation had simply continued the rate of improvement in the mileage efficiency improvements that we had made in our fleet of vehicles through the seventies and the early eighties, if we had simply continued that rate of improvement to date, we would have avoided the need for any Saudi Arabian oil today.

If you want to remove the environmental community's objections to some of these new energy sources, some of which I believe we need over the long-term, why not remove their argument to say we have not done conservation first? Take that argument away. Do the conservation and efficiency in our transportation system, and remove that argument. I wish that would happen.

Secondly, I want to talk about this issue about doing the inventory for potential sources, to do a scientific assessment of our offshore. Normally, that would seem to make sense. Science is always good. Knowing more, I suppose, is intuitively is always better than knowing less.

The problem is that every single public policy decision that this administration has made, they have got science, and ignored it. On soot and clean air, they have got science, and they ignored it. They had science that it hurt our health to continue to pollute, but they ignored it. On global climate change, they had science, but they ignored it. On arsenic in the water, they had science, and they ignored it.

Do not come here now and say you need more science, when this administration has ignored science at every single environmental decision they have had to make today.

The third reason we need the Capps motion is this truly would be a radical departure from well-established American policy. I want to stand with the

Bush family in this regard, because George Herbert Walker Bush helped establish the moratorium on drilling offshore areas first established in 1982. He established a 10-year moratorium, then extended by President Clinton.

Governor Bush said, "In preserving Florida's unique marine resources" and "protecting Florida's coastline, by ensuring that the OCS inventory language is not included in the final energy bill."

□ 1645

We want to stand with Governor Bush and say that the Florida coastline is no less and no more important than the rest of the coastline of all of the other States represented by Governors who are not in the Bush clan. Let us pass the Capps motion and continue the moratorium.

Mr. BARTON of Texas. Mr. Speaker, I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I am happy to yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

This is a curious provision. It was not in the House bill, it was not in the Senate bill, but it miraculously shows up when the Republicans from the House and the Senate meet in secret somewhere here in the Capitol and the Cheney Task Force moved from the White House down here as an integral part of the plan, which neither the House nor the Senate voted for. That is just an incredible achievement.

At the same time, the Republicans are saying, we do not believe we can improve the fuel economy standards of SUVs or automobiles; we do not believe we can improve the efficiency of air conditioners; and, by the way, we put 70 percent of all of the oil which we consume in the United States into gasoline tanks; but the Republicans say, we cannot improve that technology. That is impossible. On air conditioners, we cannot improve that technology. That is impossible, even though during the summer, in all of the Southern States, the peak demand for electricity is 70 percent air-conditioning. We cannot improve that technology.

But what do they think they can do? Well, they think, rather than making ourselves more efficient so we consume less oil or consume less natural gas, they are going to go up the coastline of California, of Florida, of North Carolina, of Massachusetts to Georges Bank. I asked Secretary Norton 2 years ago when the Cheney Task Force first brought this measure up, I asked her if she planned on drilling off of Georges Bank and she said to me, where is Georges Bank? And I said to her, Madam Secretary, the people of New England hope you never find out where Georges Bank is, because we do not want you to be building these oil pumps off of our beaches, while telling the auto industry, the SUV industry,



the air-conditioning industry, they can continue to be less and less and less efficient. Of course we are going to have to drill off of beaches if that is the attitude, because the whole Republican philosophy is antitechnology.

And, by the way, the majority leader was very honest, very honest last week. He said that the Republicans have to hold on to drilling in the Arctic Wildlife Refuge, have to hold on to it because it will, "set a precedent" so that they can drill in other pristine areas, including off the coasts of our country. So it is an important precedent. We are not going to be a country, said the Republicans, that have increased efficiencies in our technology. They say, no, we are just going to continue to drill in places where Americans do not want oil and gas drilled for, because we do not have the nerve to take on the auto industry, the air-conditioning industry, or any other industry that is forcing our dependence upon imported oil from the Middle East.

Mr. BARTON of Texas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to tell my good friend from Massachusetts that I am going to be rooting for the Red Sox on a bipartisan basis, and I hope that they hold on to the ball if it is hit to them and it does not dribble through their legs, so that we can finally get those Red Sox to the next stage in the process.

But in direct response to my good friend's question about where this idea came from, he is absolutely right. It was not in the House bill, the inventory, that is. It was not in the Senate bill. But when it got to conference, somebody had a better idea. A little light bulb when off in their head, and they said, why not do an inventory? Why not find out what is there, just in case? And the conference rules, as my good friend well knows, do not prohibit good ideas coming in, even if they have not been in the bill that came out of the House or the other body.

So that is why it is in there, and at least some of us think that it is a good idea.

Mr. MARKEY. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Speaker, I thank the gentleman on a bipartisan basis, because this is a time for all of the other cities with losing histories in baseball to all band together and root for the Red Sox to end this terrible reign.

Mr. BARTON of Texas. Mr. Speaker, if I may reclaim my time, that is not the official Republican position; it is simply my position.

Mr. MARKEY. Oh, I understand that. I am talking about the bipartisan cities with losing baseball histories.

Mr. BARTON of Texas. Mr. Speaker, I do not want Yankee fans to get mad at the Speaker of the House who is probably rooting for the Cubs and things like that.

Mr. MARKEY. Mr. Speaker, this camaraderie that we can share on this one issue is hopefully one that we might be able to spread to other issues.

Mr. BARTON of Texas. We would certainly hope so.

Mr. MARKEY. Perhaps on oil and gas and other environmental issues as well, but at least on this one issue I do agree with my colleague that the New York Yankees are the oil and gas industry of the baseball industry.

Mr. BARTON of Texas. I would not go that far. I have to reclaim my time on that.

Mrs. CAPPS. Mr. Speaker, at this time I wish to enter into the RECORD in support of this motion a letter signed by 100 Members of Congress, bipartisan, in support of removing this kind of provision from the energy bill.

CONGRESS OF THE UNITED STATES,  
Washington, DC, September 12, 2003.

Hon. PETE V. DOMENICI,  
Chairman, Committee on Energy and Natural Resources, Dirksen Senate Office Building, Washington, DC

Hon. W.J. "BILLY" TAUZIN,  
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC

DEAR CHAIRMAN DOMENICI AND CHAIRMAN TAUZIN: As the Senate and House conference the omnibus Energy bill, we request that you maintain the longstanding bipartisan moratorium on new mineral leasing activity on submerged lands of the Outer Continental Shelf (OCS). In addition, we ask that a provision requiring the Secretary of the Interior to inventory the potential oil and gas resources of the entire OCS, including those areas now off-limits to new drilling, not be included in the final bill. Such a provision would seriously undermine current protections for these environmentally sensitive and economically important coastal and marine areas.

As you know, the House of Representatives spoke forcefully on this issue when it unanimously passed the Capps-Miller (FL)-Davis (FL) amendment to the Energy bill. This amendment removed language that would require an unnecessary "inventory" of resources on the OCS, including exploratory drilling in areas now under the OCS moratorium. This was the fourth time strong, bipartisan majorities in the House have come together in recent years to protect sensitive coastal areas from new drilling. In addition, the Senate passed version of the Energy bill did not contain this provision.

A comprehensive inventory of OCS oil and gas resources is inconsistent with the moratorium which currently exists in California, Florida and the Eastern Gulf of Mexico, Oregon, Washington, Bristol Bay, New England, and the entire Atlantic Coast. For more than twenty years, bipartisan legislative and administrative actions that have enhanced protection of moratoria areas from offshore oil and gas development. Beginning in 1982, the OCS moratorium on new offshore oil and gas activity of the OCS has been included in every annual Interior Appropriations bill. In addition, in 1990 President George H. W. Bush signed an executive memorandum placing a ten-year moratorium on new leasing on the OCS. In 1998, this moratorium was renewed by President Bill Clinton and extended until 2012. The proposed inventory would also contradict the moratorium contained in the President's budget to enable continued protection of the OCS. These actions have all been met with public acclaim and as necessary steps to preserve

the economic and environmental value of our nation's coasts.

Additionally, an inventory is not needed. The Minerals Management Service already compiles estimates of Outer Continental Shelf oil and gas resources every 5 years. In fact, the last one was completed in the year 2000, and includes estimates of undiscovered conventionally and economically recoverable oil and natural gas. We already know, for instance, that 80 percent of the Nation's undiscovered, economically recoverable OCS gas is located in the Central and Western part of the Gulf of Mexico, which is currently not subject to the moratorium. Therefore, it appears such a provision of this energy bill is duplicative and unnecessary.

Tourism is a major industry for coastal states and a staple of their coastal economies. The money spent by tourists pay the bills and put food on the table for the people living in these communities. Offshore oil and gas drilling directly threatens this economic engine and the people of these communities know it.

We urge you to protect our vital coastal communities by ensuring that provisions that would weaken the OCS moratorium on new drilling off our coasts are not included in the final Energy bill. Thank you for your prompt attention to this matter.

Sincerely,

Lois Capps, Jim Davis, Jim Saxton, Rosa DeLauro, Earl Blumenauer, Bob Etheridge, Chris Van Hollen, Anna Eshoo, Jeff Miller, Randy "Duke" Cunningham, Frank LoBiondo, Jim Oberstar, Peter Deutsch, Rahm Emanuel, William Delahunt, Katherine Harris.

Frank Pallone, Joe Hoeffel, Stephen Lynch, Adam Schiff, Lucille Roybal-Allard, Elton Gallegly, Steven Rothman, Carolyn Cheeks-Kilpatrick, Jim McDermott, Rush Holt, Gary Ackerman, Juanita Millender-McDonald, Pete Stark, E. Clay Shaw, Chris Smith, Lynn Woolsey, Peter DeFazio, Michael Honda, Grace Napolitano, Kendrick Meek, David Wu, John Olver, Ginny Brown-Waite, Brad Miller.

Brad Sherman, Barbara Lee, Diane Watson, Sam Farr, Susan Davis, Bob Filner, Xavier Becerra, Anibal Acevedo-Vila, Allen Boyd, Mark Foley, Michael Michaud, Tom Lantos, Maxine Waters, Nancy Pelosi, Mike Thompson, George Miller, Ellen Tauscher, Loretta Sanchez, Zoe Lofgren, Jim Langevin, Porter Goss, Dennis Cardoza, Robert Matsui, Jane Harman.

Tom Allen, Bill Pascrell, Maurice Hinchey, Carolyn McCarthy, Alcee Hastings, Jim McGovern, Louise Slaughter, Jerrold Nadler, Ed Case, Jan Schakowsky, Richard Neal, Ben Cardin, Nita Lowey, Dale Kildee, Jay Inslee, Bart Stupak, Tammy Baldwin, John Tierney, Robert Wexler, Corrine Brown, Carolyn Maloney, Ed Towns, Robert Menendez, Eliot Engel.

John Larson, Betty McCollum, Hilda Solis, Walter Jones, Patrick Kennedy, Howard Berman, Raul Grijalva, Barney Frank, Ric Keller, Linda Sanchez, Madeline Bordallo, Lane Evans.

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would inform Members that the gentlewoman from California (Mrs. CAPPS) has 3 minutes remaining; and the gentleman from Texas (Mr. BARTON) has 10 minutes remaining.

Mr. BARTON of Texas. Mr. Speaker, I would be happy to yield 4 of my 10



minutes to the gentlewoman from California (Mrs. CAPPS), for purposes of control.

The SPEAKER pro tempore. Without objection, the gentlewoman from California will control 4 additional minutes.

There was no objection.

Mrs. CAPPS. Mr. Speaker, I appreciate that graciousness. As my colleagues can see, I have more speakers than the gentleman from Texas.

Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, Florida is the paradigm of where the economy is the environment. We have had a strong tradition of bipartisan support for that premise, and we have fought successfully now for decades to prevent the drilling off of our coast. The potential adverse effect both on the Atlantic and Gulf coasts would be monumental in terms of the potential adverse effects versus any potential gain.

That is why, again, through democratic administrations of Governors and Republican administrations of Governors, including the present administration, the President's brother, the effort has been united across the State to prevent this type of activity.

I obviously join with my colleagues and am somewhat surprised that, mysteriously, language that was taken out and, again, I keep repeating, in a bipartisan way. It is interesting, even though Florida is the fourth largest State in the country, we have the distinction of being the second largest Republican delegation in this Congress. I would be somewhat dismayed, and I wish that some of my colleagues, although I am sure just because we ended early are not here with us, because they have been leaders. This issue, as I said, is signed by all but one member. The gentleman from Florida (Mr. GOSS), the vice chairperson of the Committee on Rules, is one of the cosignatures.

Mr. Speaker, I urge the adoption of the motion, and I urge the Congress to take out this language before adoption of the bill.

Mr. Speaker, I will at this time submit for the RECORD a letter to the Speaker, the majority and minority leaders of the House and Senate signed by 24 of the 25 Members of the Florida delegation urging the Congress to take out the language that would set up this inventory.

CONGRESS OF THE UNITED STATES,  
Washington, DC, September 30, 2003.

Hon. DENNIS HASTERT,  
Speaker, House of Representatives, U.S. Capitol,  
Washington, DC

Hon. WILLIAM FRIST,  
Majority Leader, U.S. Senate, U.S. Capitol,  
Washington, DC

Hon. THOMAS DASCHLE,  
Minority Leader, U.S. Senate, U.S. Capitol,  
Washington, DC

Hon. NANCY PELOSI,  
Minority Leader, House of Representatives, U.S.  
Capitol, Washington, DC

DEAR SPEAKER HASTERT, SENATE MAJORITY  
LEADER FRIST, SENATE MINORITY LEADER

DASCHLE, AND HOUSE MINORITY LEADER  
PELOSI:

We are extremely disturbed with certain language in the omnibus energy legislation, currently in conference, that would authorize the Secretary of the Interior to conduct inventories of Outer Continental Shelf (OCS) resources. The proposed inventory would make millions of acres of waters vulnerable to exploratory activity, including waters in the Gulf of Mexico that have been protected by the long-standing moratorium on drilling off the coast of Florida. This would be disastrous to our State.

We were pleased when the House removed the OCS inventory language from its version of the Energy bill. However, despite our clear and unified opposition, OCS inventory language has reemerged in the current draft of the Energy Conference Report. Due to the importance our constituents place on protecting Florida's shores, it would be difficult for our delegation to support an energy bill that includes any language authorizing an inventory of OCS resources.

One of the stated purposes of the OCS inventory is to "lead to additional Outer Continental Shelf leasing and development." We believe this language illustrates the dangerous implications that the OCS inventory would have for Florida: it would invite precisely the drilling activity that the long-standing moratorium intends to prohibit. The language would greatly compromise our State's ability to safeguard our natural resources and vibrant tourism industry, and would set the current OCS policy badly adrift.

The prohibition of OCS drilling has been a national priority for over twenty years. As you know, Congress led the way by passing the first moratorium on OCS leasing in 1982, which was soon extended to waters throughout much of our nation's coastal areas. In 1990, President Bush continued this effort by placing a ten-year moratorium on new OCS leasing, which was extended to 2012 by President Clinton. Florida's delegation has been a major part of the broad bipartisan commitment to keep most of our waters free of further exploration and exploitation. To protect this well-established priority and the interests of the state of Florida, we are dedicated to ensuring that this commitment is not abandoned or compromised by this Congress.

Opposition to OCS drilling is particularly strong in our State, due to the potentially devastating consequences it could have for our economy, natural resources, and quality of life. This resolve was confirmed by Florida's reaction to President Bush's proposal to develop lease sale 181 area, which was ultimately withdrawn in the face of stern opposition from Floridians. Our pristine beaches and waterways represent our best and most distinctive qualities and attract millions of visitors from across the country and the world every year. Our natural habitats, particularly our marine life, represent some of the richest and most diverse ecosystems in the world. The quality of life enjoyed by Floridians is due to large part to these natural endowments, which has made our state one of the most desirable places in the country to live and work.

We ask for your help in preserving the national commitment to our unique marine resource in the waters of our state throughout the country. We cannot allow the OCS moratorium protecting Florida's waters to be undermined by this legislation. We urge your support in our effort to ensure that the OCS inventory language is not included in the final energy bill.

We appreciate your prompt attention to this very important matter.

Sincerely,

Congressman Porter Goss; Congressman  
Jeff Miller; Congressman Jim Davis;

Senator Bob Graham; Senator Bill Nelson.

Mr. BARTON of Texas. Mr. Speaker, I reserve the balance of my time.

Mrs. CAPPS. Again, I thank my colleague from Texas for being so generous with his time.

Mr. Speaker, I am happy to yield 2 minutes to the gentleman from California (Mr. FARR), my neighbor on the California coast and a strong advocate in this arena.

Mr. FARR. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I rise today in strong support of the Capps motion to instruct conferees on the energy bill. Basically, this assessment of the oil and gas mineral deposits out there, one does not need to be done because it has already been done. I know from the leases that they have all done, the lease companies have submitted their preferences all along the California coast. The information the Federal Government wanted it has already gotten.

But that is not the issue. The issue is why would we do this in the first place, and why would we do it if we already have the information? Why would we do it is like saying, well, let us go out and see what the value is of developing subdivisions in our national parks, or taking the national Mall here and saying, what would be the potential for development along the Mall? Why would you want that information, unless that is what you are going to do?

Now, both Presidents Bush and Clinton have put oil and gas moratoria on the California coast. This legislature, for years and years, Congress has passed prohibitions on allowing the Minerals Management Agency to go further in offshore development. I mean, there has been a clear sign that we do not want to do that. We do not want to go there. We do not want to do that. So essentially this gives the wrong message to everybody: oh, we are going to collect the information because although we do not want to do it, maybe we want to do it. That is a waste of taxpayers' money, it is a waste of time, and, frankly, it is very discouraging for the civil servants who have to go out and get this information.

Lastly, it is just the wrong thing to do. If we are going to assess that, why do we not assess whether there is oil under the National Cathedral or under the United States Capitol or under Yosemite National Park or places like that. Because, indeed, with our national marine sanctuaries we have already said we are not going to allow drilling in those sacred spots.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

We have had a good debate on the floor, Mr. Speaker. I would point out that there are two parts to the Capps motion. The first part is to reinsert some language dealing with time lines for filing amendments to the Coastal Zone Management Act permitting

process. That would actually give something that is not available under current law. So I would oppose the Capps amendment on the first part because of the open-ended nature of that particular procedural aspect of it.

On the second part of the Capps amendment that deals with this inventory, you can make an argument, if we were self-sufficient in energy resources in this Nation and were not importing almost two-thirds of our oil, and we are now importing 10 percent of our natural gas, that one would not need to do an inventory because we had such abundance that we did not need to know what our energy resources were. But that is not the case. We are importing over 60 percent of our oil needs on a daily basis, and we are now importing over 10 percent of our natural gas needs. We simply cannot continue, in my opinion, the policy of only drilling where we have always been drilling.

The inventory is not an open-ended change in current law so that we could go out and drill willy-nilly in all of these areas that we have put off limits, but it does say we can find out what is there. That is good public policy. If we found that there was a tremendous energy resource where we have not been drilling, we would still have all of the procedural protections at the State level and the Federal level to make an informed decision on whether to drill that resource or not, but at least we should be able to determine what is there.

So while I totally understand my colleagues from the affected States that, for whatever reason, feel like they should not allow this inventory to go forward, I cannot understand from a national perspective that we oppose just the mere fact of inventorying our natural resources, because one cannot make an informed decision about what to do if one does not know what one has.

So I would hope that we would vote against the Capps motion to instruct so that this little part of the energy bill would go forward, and we could do the inventory.

Mr. Speaker, I yield back the balance of my time.

Mrs. CAPPS. Mr. Speaker, I yield myself the remaining time.

In closing, I want to take a few seconds to underscore what this word "inventory" really means. It sounds innocuous; it sounds harmless. But surveying of the outer continental shelf would result in millions of seismic cannon blasts in our coastal waters from testing vessels. Research has found that an average modern 3D seismic survey requires a blast every 25 meters or every few seconds as a ship, a vessel that is surveying, cruises along. Calculations based on this rate of seismic blast find that it would take at least 285 million seismic blasts to inventory the outer continental shelf. The total cost of such a survey could approach \$50 billion for the entire OCS, not including costly analyses to actually find potential oil and gas deposits.

□ 1700

These estimates come from discussions with MMS officials and survey companies. So my question, again, why does the Congress want to waste taxpayers' money on a duplicative process, inventory of areas off limits to oil and gas exploration?

Mr. Speaker, as the list of our speakers and co-sponsors of this motion indicates, these issues are by no means regional or partisan. By allowing this harmful language in the energy bill, our coasts will be threatened, commercial fishing jobs will be at risk, tourism will be at risk, States' economies will be threatened, and the beauty of our coastline will be seriously undermined. That goes for every single coastal State.

The House has shown wisdom in removing the inventory requirement. I ask the conference committee to do the same. We should be seeking long-term solutions that make sense for energy development and that balance environmental protection and economic growth.

The provisions to roll back the moratorium on oil and gas drilling in the Outer Continental Shelf and to weaken the States' rights under the Coastal Zone Management Act fall far short of a balanced approach.

So I urge my colleagues to support this motion, to stop an attack on the laws that protect our sensitive coastal and marine areas.

Mr. GOSS. Mr. Speaker, we in Florida are deeply troubled by the OCS inventory language currently under consideration in the energy bill conference. This language was already firmly rejected once by this body, and I believe we should make it well known that we will reject it again if it returns to this Chamber.

The prospect of an "inventory" of OCS resources, specifically in the Gulf of Mexico, poses a direct and detrimental threat to our coastal areas in Florida. It looks like a badly disguised attempt to re-open our coastal waters to drilling. In fact, it is the latest move in a long series of clever distractions that try to mask what it really is: a relentless effort to undermine the long-standing OCS moratorium and expose our coastal communities to the dangerous and disastrous repercussions that oil drilling can often bring.

This is an insult to the Members of Congress who voted the inventory language out of the House version, as well as to our constituents in Florida. In our State, we have a particularly strong interest in protecting our shores and beaches from unnecessary threat. We are blessed with beautiful beaches and coastal areas that provide extraordinary benefits to Floridians and millions of other Americans who visit. Over 80 percent of our State's population lives in coastal communities. These beaches and coastal areas are an indispensable part of the great character and quality of life we have in Florida.

Almost two-thirds of all economic activity in the State occurs in coastal counties; much of that is tied to tourism, which is a vital part of the Florida economy.

Our fight for a moratorium on offshore drilling in our part of the Gulf of Mexico has offered protection for over two decades. We are

firmly committed to maintaining that protection. The OCS moratorium enjoys broad support, both in Florida and throughout the country, and since the moratorium cannot be overturned outright, opponents look for other, more subtle ways to overcome it. This inventory proposal is a perfect example of that strategy.

I believe we must strongly defend and preserve the moratorium on offshore drilling by rejecting all attempts to weaken it. It is a top priority for Florida, as well as other coastal States. I urge my colleagues to support this motion to instruct, to reject this transparent attempt to circumvent the protections we have worked hard to set and keep in place.

Mr. DELAHUNT. Mr. Speaker, today we have a choice. Do we allow states to continue to determine the future of our coastal zones or do we allow the Federal government to manhandle local interests?

The issue at stake is the consistency provision of the Coastal Zone Management Act (CZMA) which was debated and passed by a bipartisan majority of Congress in 1990. "Consistency" dictates that Federal projects must be consistent with state management plans and is the heart of the CZMA.

Today this provision is under attack from those who want to use the energy bill to circumvent the legislative process and weaken the role of states. As discussed by my colleagues, energy bill conferees now seek to disregard the bipartisan compromise on consistency passed by the House and insert a new provision at the eleventh hour. This new measure would severely limit the ability of states to appeal a project in their coastal zone by curtailing the process and timeline by which states can challenge Federal decisions. Consistency is the tool that localities use to prevent the siting of inappropriate projects by the Federal government. Any attack on consistency is an attack on the power of the states. I'm sure the irony of Democrats being the ones to remind energy conferees on the importance of state input is not lost on my colleagues.

The battle over consistency is particularly relevant to my state of Massachusetts and to the area of Nantucket Sound which I am proud to represent. Some months ago, developers proposed building a 170-tower wind farm spanning 25 square miles in Nantucket Sound. This proposal set off a firestorm. Since then, issues of ocean governance and new policies for renewable energy in the marine environment have dominated our newspapers, our fishing piers and our town halls. I have opposed the Nantucket Sound project, not because I oppose renewable energy, but rather because I believe that we must have sensible policies in place before the Federal government starts issuing permits for such large projects.

There is currently no Federal policy governing the development of off-shore renewable energy facilities. In fact this very issue is another controversial part of the pending energy bill. The Administration would like to give the Mineral Management Service full discretion over all energy projects on the Outer Continental Shelf while conservationists and others support my legislation to promote off-shore renewables with strict safeguards for the marine environment and public safety. Although the debate over the process and lead agency has yet to be resolved, the Nantucket Sound project is still moving ahead.

The proposed project is undergoing environmental review by a variety of Federal agencies but without Congressional authorization and without a coherent process to protect marine resources. A private developer is taking advantage of the lack of Federal authority and seeking to use public resources without any guaranteed benefit to the public. Given this lack of Federal policy, consistency becomes all the more critical as it is the only way states can have a voice in decision making.

Under current law, states do have a voice. The Coastal Zone Management Act stipulates that states can review projects which impact their coastal waters and appeal a project that is inconsistent with its overall interests. Currently there is no limit on the time the Secretary of Commerce can use to develop the record to make a decision in an appeals case. The oil and gas industry complains that this leads to unnecessary delay and increased projects costs. Industry proponents are using the energy bill conference to insert a provision that closes the record in 120 days and provides no grounds for any extensions.

This measure is a direct attack on consistency. And as the Nantucket project illustrates, consistency may be the only way local interests are protected. For this reason, I hope you join me today in affirming the right of states to determine their future and support the Capps/Miller motion to instruct.

Mr. DAVIS of Florida. Mr. Speaker, Florida's white sand, clear waters and gorgeous sunsets have truly become not only a treasure for our State, but a treasure for our Nation and the millions of tourists who visit Florida's beaches every year. Today, Floridians, Californians, the people of the Great Lakes and the Eastern Seaboard are asking for your help to preserve these treasures for our children and grandchildren. Florida's beaches are again being threatened by plans to commence with an inventory of all lease sale areas, including those that are currently under moratorium until 2012.

As our colleagues will recall, the House unanimously removed language calling for an inventory of all OCS lease sale areas from the final version of the House Energy bill this past April. However, despite our clear and strong position in the House and omission of the provision in the Senate version, the OCS inventory provision has reemerged in the current draft of the conference report. I believe it is important to send a unified message that this House will not fall to the will of a few behind the scenes and we will not allow the OCS moratorium to be weakened by the inventory language in the draft of the Energy bill Conference Report. Once again, the coasts are being threatened and the House must state its will to the Conferees by voting for the Capps Motion to Instruct.

It is my hope that both the Chairman of the House Committee on Resources and the Chairman of the House Committee on Energy and Commerce will abide by their promises made on the floor during debate on the House Energy bill. I urge my colleagues to support the Capps Motion to Instruct once again to remove the inventory language from the Energy bill.

One of the stated purposes of the OCS inventory is to "lead to additional Outer Continental Shelf leasing and development." The estimated cost for the inventory exceeds \$49 billion, not to mention that a single offshore rig

emits the same quantity of air pollution was 7,000 cars driving 50 miles per day. Floridians have continually fought to keep these activities off of their shores and we are appalled by the amount of government waste attributed to these inventory activities. The inventory language is a blatant attempt to sneak these rigs into our economy and way of life.

Recently, I was joined by 100 of our colleagues in sending a letter to the House and Senate Conferees opposing the inclusion of this language. Soon afterwards, both Senators from Florida and 24 of the 25 Floridians in the House signed onto a letter to the Leadership expressing our unified opposition to this language. I hope that today you will join us in this fight and vote to instruct the conferees to withdraw this language.

Mrs. CAPPS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). All time has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mrs. CAPPS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. CROWLEY. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. CROWLEY moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the Columbia disaster.

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

Mr. CROWLEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to instruct be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from New York (Mr. CROWLEY) and the gentleman from California (Mr. HERGER) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. CROWLEY).

#### GENERAL LEAVE

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this motion and insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CROWLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I am offering a motion to instruct conferees on the child tax credit.

Mr. Speaker, while many of my colleagues continue to believe that higher deficits and more tax cuts for the rich are the way to end this Bush recession, let us look at the facts.

Since the beginning of the Bush administration, America has seen the loss of over 3.3 million jobs, of which 2.5 million have been in manufacturing. Moreover, taxes on working families have gone up. This is via interest rate increases that makes your monthly mortgage payments higher and increases your monthly car payments.

The national deficit has soared to almost half a trillion dollars this year and is increasing. And what are you getting? Your tax dollars are paying over \$300 billion this year alone on interest on the Bush tax cut for the rich.

Finally, Democrats, working with Senate Republicans, put forth a bill to give working families a real tax cut: an extension of the child tax credit. The Republicans oppose it. They are opposing a tax cut on working families.

The people missing out on this tax cut include 6.5 million working families and their 12 million children who are struggling to make ends meet. One in five of these children are from active duty military families, making even a Republican Senator from Arizona who, by the way, ran for President just 2